PART I

RULES UNDER THE LAND REVENUE CODE.

6th December 1881.

In exercise of the powers conferred by section 91 of the Indian Registration Act, 1877, and by section 213 of the Bombay Land Revenue Code, 1879, and of all other powers enabling him on this behalf, the Governor in Council is pleased to make the following rules to regulate searches for, and the inspection of, and the grant of extracts from, or copies of, public documents, in supersession of all previous rules and orders on the same subjects :—

I.—Inspection.

(Published Notn. No. 7368 *B. G. G.* 1881, pp. 792 to 794.)

Inspection of documents to which the public have a legal right when and how to be permitted.

1. The documents, maps, registers, accounts and records, the right of inspection of which is provided for in section 91 of the Indian Registration Act, 1877,* and in section 213 of the Bombay Land Revenue Code, 1879, and all public documents which any person has, under the provisions of any law for the time being in force, a right to inspect, shall be open to inspection in the office of the officer in charge of the same during the usual office-hours every day, except Sundays and public holidays, on payment of the fee hereinafter prescribed in this behalf: Provided always that no fee shall be levied by any village officer for allowing inspection of any such document, map, register, account or other public document as aforesaid which is in his charge.†

Inspection not to be permitted without a legal right.

2. Except in the cases named in the last preceding Rule, no inspection of any public document will be allowed.

II.—Extracts and Copies.

Uncertified copies and extracts how obtainable.

3. No uncertified copy or extract shall be obtainable of or from any document other than those described in Rule I, nor otherwise than under this Rule.

Any person entitled to inspect any public document under Rule I may himself make a copy, or employ his own agent to make a copy, of any public document, or of any portion of any public document of which he has duly obtained inspection, but no copy so made shall be certified by any public officer.

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* Amended by Act VII of 1886, section 6.

† "*Sanads being documents which Government give into the hands of the persons whose titles they evidence, they do not form part of the records of any Government office. The only record kept of them is a register. Hence the law provides for extracts being given from these registers, when applied for, but not for the grant of copies of the sanads themselves.*

In cases in which it is found necessary to make out a sanad in the names of several sharers, a copy may be given gratis to each, but each of such copies should be signed and executed by the same officer and treated as an original document. In no other case can a copy of a sanad be granted, but an extract from the register of sanads may be given on payment of the fees prescribed in the rules under section 213 of the Land Revenue Code and section 91 of the Registration Act." (G. R., R. D., No. 4180, dated 2nd June 1883.)

4. The officer in charge of any public document described in Rule I shall cause to be prepared, and give a certified copy of the same, or of any portion thereof under his own signature, to any person applying for such copy, on payment of the fee hereinafter prescribed in this behalf: Provided that every application for a certified copy of any public document in the charge of a village officer shall be made to the Mámlatdár or Mahálkari to whom such officer is subordinate, who shall cause the copy to be prepared by the village accountant. Every such copy, after being compared by the village accountant with the original, shall be signed by him in token of its being correct, and shall be sent by him to the Mámlatdár or Mahálkari for the purpose of being certified and made over to the applicant. No village officer shall himself certify a copy to be a true copy, or receive or grant an application for any such copy.

Certified copies or extracts of or from the documents described in Rule I how obtainable.

5. Subject to the proviso contained in the last preceding Rule, certified copies of public documents, or of portions of public documents other than those described in Rule I, may be granted by the officer in charge thereof to any person applying for the same, on payment of the fee hereinafter prescribed in this behalf: Provided—

When certified copies or extracts may be granted of or from public documents other than those described in Rule I.

(*a*) that in disposing of any such application the officer to whom the same is made shall be guided by the orders of Government and of any officer to whom he is subordinate, and in case of doubt shall, before disposing of the same, refer to his immediate superior for instructions;

(*b*) that no copy of any official correspondence or of any opinion of a Government law officer, or of any order or resolution embodying any such opinion, shall be given by any officer subordinate to a Collector without the Collector's previous permission, or by any survey officer without the previous permission of the Survey Commissioner;

(*c*) that no copy shall be granted of any record, map or plan which has been printed or lithographed and published under the authority of Government;

(*d*) that no copy of any document is to be given in any case in which it is obvious that such a course would be prejudicial to Government.

6. On every certified copy or extract granted under these Rules there shall be endorsed, by the officer who receives the fee for the same, a receipt in the following form (namely):—

Fee-endorsement to be written on certified copies.

"Received Rs. a. , being the fee for this certified copy.

Dated the of 189 . (Signed) *A. B.*"

7. The certificate on all certified copies or extracts granted under these Rules shall be in the form prescribed by section 76 of the Indian Evidence Act.

Form of certificate.

III.—SEARCHES.

Search-fee when payable.

8. When an application is made for an inspection or copy of any public document, or of any portion of a public document, and such application does not distinctly describe the number, date and nature of the document required; or if the description given in such application is incorrect, and it shall in consequence be necessary for the officer in charge of the document to search his records in order to find it, a fee, at the rate hereinafter prescribed, shall be payable by the applicant for such search, whether the inspection or copy for which he applies shall, on examination of the said document by the said officer, be granted or not: Provided that no such fee shall be levied by a village officer.

IV.—FEES.*

Table of fees to be levied.

9. The following fees shall be levied in cash under these Rules (namely):—

(1) For every inspection granted under Rule I by any officer other than a village officer... ...	8 annas.
(2) For every certified copy of a public document not falling under Article (3) of this Table:—	
(*a*) if the original be in English, for every 100 words or fraction of 100 words	2 annas.
(*b*) if the original be in the vernacular, for every 100 words or fraction of 100 words...	1½ annas.
(*c*) if the original be in a tabular form, whether in English of the vernacular	twice the rates respectively named in clauses (*a*) and (*b*).
(3) For every certified extract from a Register of Alienations granted under section 53 of the Bombay Land Revenue Code.	1 anna for every rupee of the amount of alienated revenue, or if the Sanad lost or destroyed had been granted under Bombay Act IV of 1868, or under section 133 of the Bombay Land Revenue Code, 1879, a sum equal to one-half of the survey fee which the holder of the building site included in the Sanad would be liable to pay under section 132 of the said Code if not exempted by the second paragraph of that section: Provided that the fee shall in no case exceed Rs. 10 or be less than 8 annas. (Notn. No. 3410, *B. G. G.*, 1883, p. 333.)

*Non-official copyists should be paid at a rate varying from two-thirds to the full amount of the fees leviable under Rule 9. (G. R. No. 7669, dated 26th September 1884, R. D.) Kulkarnis and Talátis are to be permitted to take fees for making copies of maps and plans. (G. R. No. 4106, dated 21st May 1885, R. D.)

(4) For every certified copy of a map of a survey number, or of a recognized share of a survey number, or of a field, or of any ordinary (uncoloured) map, or plan of any immoveable property...	... 1 rupee.
(5) For every certified copy of a map or plan, or of any portion of a map or plan not falling under Article (4) of this Table.	such fee not exceeding fifteen rupees, and not less than one rupee, as the officer who certifies the copy shall determine: Provided that no fee exceeding Rs. 5 shall be charged by any officer subordinate to a Collector except with the permission of the Collector, or by a survey officer except with the permission of the Survey Commissioner.
(9) For every search made by any officer other than a village officer.	1 rupee for each year of which the records shall be searched.

Fee to be paid in advance.

10. Every fee payable in accordance with the foregoing table shall be paid in advance

Disposal of fees.

11. The amount of all fees so received shall be entered in a separate book to be kept for this purpose by the officer in charge of the records, and shall be remitted before the close of each month to the nearest Government Treasury after deducting the amount paid, in the case of certified copies and extracts, to section-writers under Government Resolution No. 3356, dated 11th November 1874, Financial Department, or under any other orders of Government that may be hereafter issued.

V.—MISCELLANEOUS.

Applications under these Rules to be made in writing.

12. Every application under these Rules, except an application under Rule 1 to a village officer, must be made in writing.

Proceedings to be recorded on each application.

13. Every such application shall be numbered and filed by the officer to whom it is presented, and shall be endorsed with a memorandum, under his signature, stating the date on which it was presented, the amount of fees, if any, received either at the time of presentation thereof or subsequently at any time, and the date and manner in which the application was disposed of.

Care to be exercised in granting inspections or copies as a matter of right.

14. In considering any application purporting to be made under sections 90 and 91 of the Indian Registration Act, 1877, or under section 213 of the Bombay Land Revenue Code, 1879, or under any other law which grants to any person a right of inspection, special care must be taken to see that the public document, with respect to which such application is made, is

Addenda and Corrigenda to the General Rules in force in the Revenue Department of the Government of Bombay.

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(1) Government Notification No. 2302, dated the 31st March 1890, and the footnote thereto, printed at page 5 of the Compilation, should be deleted. Notn. No. 6981, *B. G. G.*, 1903, Pt. I, p. 1285.

(2) In line 7 of Rule 4 and in line 8 of Rule 5 of the Rules framed under section 91 of the Indian Registration Act, 1877, and section 213 of the Land-Revenue Code, 1879, printed at page 2 of the Compilation, between the words "on payment" and the words "of the fee hereinafter prescribed in this behalf," and in line 2 of Rule 6 of the same Rules, printed at the same page of the Compilation, between the words "under these rules" and the words "there shall be endorsed," insert the following words and parenthesis :— Notn. No. 6981, *B. G. G.*, 1903, Pt. I, p. 1285.

'(except in the case provided for in Rule 5-A).'

(3) After Rule 5 of the same Rules, printed at page 2 of the Compilation, insert the following :— Notn. No. 6981, *B. G. G.*, 1903, Pt. I, p. 1285.

'5-A. Where any public servant is departmentally fined, reduced, suspended or dismissed, he shall be entitled to receive, free of charge, a certified copy of the final order recorded in his case.'

Certified copies to be given free in certain cases.

(4) To Rule 9 of the same Rules, printed at pages 3 and 4 of the Compilation, add the following clause :— Notn. No. 6981, *B. G. G.*, 1903, Pt. I, p. 1285.

(7) For every authenticated translation of decisions, orders, and the reasons therefor, and of exhibits in formal or summary inquiries under the Bombay Land-Revenue Code, 1879—

(*a*) for the first 100 or fraction of 100 words ... 8 annas;

(*b*) for every subsequent 100 or fraction of 100 words ... 4 annas.'

(5) After Rule 15 of the same Rules, printed at page 5 of the Compilation, insert the following :— Notn. No. 6981, *B. G. G.*, 1903, Pt. I, p. 1285.

'15-A. Nothing in these rules shall apply to any record or register kept under the Bombay Land Record-of-Rights Act, 1903, unless it is specially applied thereto by any rule under section 14 of the said Act.'

Saving of certain records and registers.

(6) In the clause following clause (5) of Rule 9 of the same Rules, printed at page 4 of the Compilation, for the figure "9" substitute the figure "6."

one to which the law relied upon is applicable, and that the applicant is a person entitled to inspection (and, therefore, if he requires it under section 76 of the Indian Evidence Act, to a copy) before granting the application as a matter of right.

Saving of the provisions of the Stamp and Court Fees Acts.

15. Nothing in these Rules is to be deemed to affect the provisions of the Stamp Act or Court Fees Act. The stamp-duty or court-fee with which any application, copy or extract made or furnished under these Rules may be chargeable, is to be deemed to be in addition to the fees prescribed by Rule 9, and care is to be taken that the requirements of the Stamp Act and Court Fees Act are properly fulfilled in respect of every such application, copy or extract.

"Public document" defined.

16. In these Rules the words "public document" are to be deemed to have the same meaning as in the Indian Evidence Act I of 1872 (*see* section 74 of that Act).

Local extent of these Rules.

17. Nothing in these Rules applies to the City of Bombay or to any civil or criminal court.

1st March 1890.

Under the provisions of section 198 of the Bombay Land Revenue Code, 1879, and in supersession of Notification No. 6133, published at page 186 of the *Bombay Government Gazette* for 1882, Part I, His Excellency the Governor in Council is pleased to authorise the following fees* for authenticated copies and translations of decisions, orders, and the reasons therefor, and of exhibits in formal or summary enquiries made under the said Code, namely,— (Notn. No. 2302, *B.G.G.*, 1890, Pt. I., p. 289.)

Copying Fees—	For every 100 words or fraction of 100 words—
(1) 1½ annas.	(1) In the case of English copies.
(2) 1 anna.	(2) In the case of vernacular copies.
(3) Double the ordinary rates.	(3) If the original be in a tabular form, whether in English or the vernacular.
Fees for examining and comparing—	
½ anna.	For every 100 words or fraction of 100 words.
Translation Fees—	
8 annas.	For the first 100 words or fraction of 100 words.
4 annas.	For every subsequent 100 words or fraction of 100 words.

RULES MADE WITH THE SANCTION AND UNDER THE ORDERS OF THE GOVERNOR IN COUNCIL BY THE COMMISSIONER IN SIND, AND THE COMMISSIONERS, NORTHERN DIVISION, AND SOUTHERN DIVISION, UNDER SECTIONS 152, 158 AND 183 OF THE BOMBAY LAND REVENUE CODE, 1879. (Notn. No. 2459, *B. G. G.*, 1883, Pt. I., pp. 260-261.)

1.—Notices of Demand (Section 152).

1. Notices of demand shall be issued by the

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* Fees for comparing and examining copies of decisions, &c., should be credited to Government. (G. R. No. 3101, dated 20th April 1883, R. D.)